HYDE COUNTY BOARD OF COMMISSIONERS



Hyde County Courthouse Multi-purpose Room 30 Oyster Creek Road, Swan Quarter, NC and

Ocracoke School Commons Area
120 School House Road, Ocracoke, NC

Meeting Date:

March 7, 2016

Presenter:

Chairman Earl Pugh, Jr.

Attachment:

No

ITEM TITLE:

OPENING

SUMMARY:

Call to Order Opening Prayer Pledge of Allegiance

Board of Commissioners

Earl Pugh, Jr., Chair Barry Swindell, Vice-chair Ben Simmons, III John Fletcher Dick Tunnell

COUNTY OF HYDE

30 Oyster Creek Road PO Box 188 SWAN QUARTER, NORTH CAROLINA 27885 252-926-4400 252-926-3701 Fax Bill Rich County Manager

Fred Holscher County Attorney

Lois Stotesberry, CMC, NCCCC Clerk to the Board of Commissioners



February 26, 2016

PUBLIC NOTICE

The Hyde County Board of Commissioners in accordance with NCGS143-318.9 - NCGS143-318.18 "Meetings of Public Bodies" will meet on Monday, March 7, 2016 at:

4:00pm	Hyde County Government Center to open the Commissioners Meeting, and then travel to County departments in Swan Quarter		
4:15pm	Tour the Hyde County Health Department		
4:45pm	Tour the Hyde County Water Department		
5:15pm	Tour the Hyde County Sheriff's Department		
5:30pm	Return to the Hyde County Government Center, Multi-Use Room and the Ocracoke School Commons Room		
5:45pm	Refreshments at the Government Center		
6:00pm	(or as soon thereafter as possible) Conduct the regular Board of Commissioners meeting in accordance with NCGS143-318.10 "All Official Meetings Of Public Bodies Open To The Public" and (if necessary) enter into closed session in accordance with NCGS143-318.11(a)(6) "Closed Sessions" at the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.		

Lois Stotesberry, CMC, NCCCC Clerk to the Board of Commissioners

Meeting Date: Presenter: Attachment:	March 7, 2016 Chairman Earl Pugh, Jr. Yes		
ITEM TITLE:	CONSIDERATION OF AGENDA		
SUMMARY:	Attached is the proposed Agenda for the March 7, 2016, Regular Meeting of the Hyde County Board of Commissioners.		
RECOMMEND:	Review, Amend and Approve.		

Motion Made By: Earl Pugh, Jr	. Motion Seconded By: Earl Pugh, Jr.	Vote:	Earl Pugh, Jr.
Barry Swind	ell Barry Swindell		Barry Swindell
Dick Tunnell	Dick Tunnell		Dick Tunnell
Ben Simmon:	s Ben Simmons		Ben Simmons
John Fletche	John Fletcher		John Fletcher

AGENDA

HYDE COUNTY BOARD OF COMMISSIONERS' MEETING MONDAY, MARCH 7, 2016 – 4:00 PM

CALL TO ORDER

4:00pm	Open Meeting
4:00pm	Tour Hyde County Health Department
4:45pm	Tour Hyde County Water Department
5:30pm	Tour Hyde County Sheriff's Department
5:30pm	Return to Hyde County Government Center
5:30pm	Refreshments for Commissioners
6:00pm	Conduct Board of Commissioners Meeting

CONSIDERATION OF AGENDA

CONSIDERATION OF MINUTES

1) February 1, 2016 Regular Meeting Minutes

PUBLIC HEARINGS (none)

INTRODUCTION (none)

PRESENTATIONS

1) Memorial for Mitchell P. Newman	Earl Pugh, Jr.
2) Park Service – Beach Access	NPS Deputy Director/ Kris Noble
3) ABC Board – Annual Report	Meredith Nicholson
4) Set Board of Equalization & Review Calendar	Linda Basnight
5) Home Health Agency (Hydeland Home Health) Sale	David Howard
6) Swan Quarter Farmer's Market	Anna Mottlier/ Kris Noble

EMPLOYEE RECOGNITION

PUBLIC COMMENTS

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

ITEMS OF CONSIDERATION

1)	Ordinances and Resolutions (none)
	a. Resolution In Support of 2016 Legislative Short Session
	Goals and Key Points In Coordination With The North Carolina Association
	of County Commissioners (NCACC)
2)	Appointments
	a. Hyde County Nursing Home Advisory Committee
	b. Senior Tar Heel Legislature (STHL) Delegate
	c. Mainland Occupancy Tax Board Chair
	d. Ocracoke Planning Advisory Board
	e. Ocracoke Development Ordinance Board of Adjustments
3)	Code of EthicsMgr. Rich
4)	South Oak Subdivision
5)	Service Contract – Renovations at Hyde Davis Center
6)	Commissioner Concerns
	a. Report on Soundside Access on Ocracoke
	b. Report on NC DOT Moving Right-of-Way on Highway 12, Ocracoke, NC
	c. Discussion on Combining Hyde County DSS and Health Department
	d. Public Access – Health Department and Home Health Phones

BUDGET MATTERS

- a. Planning Department Strategic Plan Update
- **b.** Health Department
 - i) BR31-16 Communicable Disease
 - ii) BR32-16 Healthy Communities
 - iii) BR33-16 General Phone/ Internet
- c. Emergency Services Department Annual Adjustments

MANAGEMENT REPORTS

The Commissioners and County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

CLOSED SESSION – in accordance with NCGS143A-318.11 (a)

- (3) to discuss Manager Performance
- (6) Review Legal Issues

ADJOURN

SUPPLEMENTAL INFORMATION

Department Reports

- 1) Tax Department (requires signature)
- 2) Inspections
- 3) Senior Center
- 4) Human Resources
- 5) Soil & Water
- 6) Will Doerfer Report
- 7) Social Services
- 8) Health Department

Informational Items

- 1) Chamber of Commerce Thank You Card
- 2) NC Northeast Alliance Board Summary of Activities (01-06-2016)
- 3) Columbus County Resolution Support Connect NC Bond Act
- 4) Harnett County Resolution Supporting The Connect NC Bond
- 5) Harnett County Resolution Supporting The Renaming of Portions of NC Hwy 24 As The Gold Star Highway
- 6) Yadkin County Resolution Supporting The Connect NC Bond
- 7) Cabarrus County Resolution Supporting Prevention Partners Statewide Wellness Initiative
- 8) Cabarrus County Resolution Supporting Connect NC Bond Act
- 9) Martin County Resolution Supporting Connect NC Bond Act
- 10) Washington County Resolution Supporting Connect NC Bond Act
- 11) Hyde S&W District Meeting Public Notice

Meeting Date: Presenter: Attachment:	March 7, 2016 Lois Stotesberry, Clerk Yes			
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ITEM TITLE:	CONSIDERATION OF MINUTES			
SUMMARY:	Attached are the February 1, 2016 Regular Meeting Minutes of the Hyde County Board of Commissioners.			
RECOMMEND:	Review, Amend and Approve.			
Motion Made By: Earl F Barry Dick	Pugh, Jr. Motion Seconded By: Earl Pugh, Jr. Vote: Earl Pugh, Jr. v Swindell Barry Swindell Barry Swindell Dick Tunnell Dick Tunnell			

Ben Simmons

John Fletcher

Ben Simmons
John Fletcher

Dick Tunnell Ben Simmons

John Fletcher

1 **Board of County Commissioners** 2 Hyde County, North Carolina 3 4 Monday, February 1, 2016 5 Chairman Earl Pugh, Jr. called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm on Monday, February 1, 2016, in the Hyde County Government Center, Multi-Use Room, and Ocracoke 6 School Commons Room using electronic conferencing equipment. 7 8 9 The following members were present on the mainland: Commissioners Earl Pugh, Jr., John Fletcher, Dick Tunnell and Barry Swindell; County Manager Bill Rich; Special Assistant County Manager Will Doerfer; Attorney Fred 10 Holscher; Clerk to the Board Lois Stotesberry; and, members of the public. 11 The following members were present on Ocracoke: Commissioner Ben Simmons, Public Information Officer 12 13 Teresa Adams and members of the public. The meeting was called to order following prayer by Commissioner Tunnell and pledge of allegiance. 14 15 16 Consideration of Agenda: 17 Chairman Pugh asked for changes to the February 1, 2016 Meeting Agenda. 18 Commissioner Swindell moved to approve the February 1, 2016 Meeting Agenda as presented by the Clerk with 19 20 addition of Presentation 6. Update on Percentage of Employees Drug Tested; Items of Consideration - 7.b. Zika Virus; Departmental Report - Will Doerfer; Informational Item - 6. E-mail from Fred Westervelt; and, with deletion 21 of Item of Consideration - 6. Home Health. Mr. Fletcher seconded the motion. The motion passed on the 22 23 following vote: Ayes - Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or not voting -24 None. 25 26 **Consideration of Minutes:** Commissioner Fletcher moved to approve the January 4, 2016 Board of Commissioners Regular Meeting Minutes 27 as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes -28 Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or not voting - None. 29 30 31 **Presentations:** 32 Beaufort/Hyde/Martin Library Board Hannah Easley, Director, BHM Regional Library, reported the Library Board has voted to amend its regional 33 agreement to add the Town of Bath. The amended agreement will change the BHM governing board to a 13 34 member board including a representative from Bath. In order to make the change, all participating towns and 35 36 counties need to approve the amendment. 37 38 Commissioner Swindell moved to amend the Beaufort/Hyde/Martin Regional Library Agreement and add the Town of Bath as a representative on the Library Board. Mr. Fletcher seconded the motion. The motion passed on the 39 following vote: Ayes - Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or not voting -40 41 None. 42 43 After further discussion, Ms. Easley confirmed the Library is moving from MECHS to the Davis Building in Engelhard. For security reasons citizens are not allowed in the library during school hours. She also confirmed the 44 Book Mobile retired in 2012 and reported the Library Board is investigating delivering books to shut-ins. 45 46 47

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Facility Needs Assessment for Hyde County Schools

County Manager Rich reported in an e-mail (01-14-2016) from Dr. Randolph Latimore "every five years NC DPI requires all school divisions to complete a facility needs plan. The needs are identified as immediate or long-range. Immediate means within 0-5 years and long rang means between 6-10 years. The plan assists NC DPI and the legislators in knowing the facility needs of the school division. The plan is basically a plan of the needs identified by the school system and does not need approval by the Board of Commissioners. However, the process does call for the Board of Commissioners to know what is included in the plan. It is important to note that there is no commitment on the part of the governing board for funding of any of the needs identified on the facility needs plan."

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Commissioner Fletcher moved that Chairman Earl Pugh, Jr. acknowledge and sign the Certification of Board of County Commissioners - 2015-2016 DPI Facility Needs Survey Hyde County Schools Long Range Plan. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes - Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or not voting - None.

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After further discussion, Commissioner Tunnell asked that the Board of Education consider replacing its School Bus Garage.

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Code of Ethics for the Board of Commissioners of Hyde County, North Carolina

County Manager Bill Rich reported the stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government, and upon responsible exercise of the trust conferred by the people upon their elected officials. Governmental decisions and policies must be made and implemented through proper channels and processes of governmental structure. Board members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent. Board members must always remain aware that at various times they play different roles: as advocates, who strive to advance the legitimate needs of their citizens and residents; legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions, and fair and impartial decisionmakers, when making quasi-judicial and administrative determinations. Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly. Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

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Manager Rich reported the purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Hyde County Board of Commissioners and to provide guidance in determining what conduct is appropriate in particular cases and that it should not be considered a substitute for a board member's best judgment.

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After discussion, the commissioners approved the Hyde County Board of Commissioners Code of Ethics and will vote to adopt it at the next regularly scheduled meeting on March 7, 2016.

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Ferry/DOT Meeting Update

County Manager Rich reported on January 25th twenty members of the Select House Transportation Committee met while in Hyde County to discuss ferry tolling and agreed to not toll eastern North Carolina ferries now.

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Commissioner Simmons reported the RPO has voted to not toll ferries at this time but recommends citizens write their legislators to oppose ferry tolling at a later date.

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Mattamuskeet Lodge/ Economic Summit Update

Kris Noble, Planning Director, reported the Hyde County Office of Economic Development and the NC Wildlife 48 Resources Commission are working together along with other partners to develop tourism in Hyde County and 49 design a plan of restoration and operation for Mattamuskeet Lodge. The team held a legislative event in January 50 (hosted by Jamin Simmons) to introduce legislators to Hyde County's current economic development initiates. A

51 Raleigh based event in March and a larger more promoted event in late fall 2016 are planned. A 3P (Public/ 52 53

Private/Partnership) composed of a non-profit Board, citizens of Hyde County and members of the Wildlife

Resources Commission will assist local business owners with branding their businesses and bringing them to the attention of tourists.

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County Employee Drug Testing

At the January 4th Board of Commissioners meeting, Human Resources Director, Tammy Blake presented overview of how drug testing of county employees is carried out. Ms. Blake reported on January 22, 2008 the Hyde County Board of Commissioners adopted a drug testing policy and contracted with "Safety Works" to test safety sensitive employees for drug abuse from a list of 8 drug tests. Ms. Blake reported 40% to 50% of approximately 75 safety sensitive employees are selected from a random and an alternate list. Pre-employment tests cost \$58.00 and random tests cost \$37.00 each. Yearly expense for drug testing is \$3.000.00 to \$4,000.00.

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After confirming statistics, Ms. Blake reports Safety Works tests 50 percent of Hyde County employees per year or 7-8 per quarter. Sixty-two employees are safety sensitive.

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Employee Recognition:

Kris Noble, Planning Director, thanked Planning Assistant Rosemary Johnson for an excellent job done at the Mattamuskeet Lodge/Economic Summit. Ms. Noble spun the "Wheel of Thanks" in Ms. Johnson's absence and won for her a \$25.00 Gift Certificate for R. S. Spencer Store in Engelhard.

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Public Comment:

Chairman Pugh called for comments from the public.

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Odessa Jarvis, Swan Quarter – stated a wrong decision was made moving offices out of Swan Quarter.

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There being no further comments from the public, Chairman Pugh continued the meeting.

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Items of Consideration:

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Resolutions

In Support of NC Governor Pat McCrory's Connect NC Bond Proposal Supporting Prevention Partners Statewide Wellness Initiative

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Commissioner Simmons moved to adopt both "Resolution In Support of NC Governor Pat McCrory's Connect NC Bond Proposal" and "Resolution Supporting Prevention Partners Statewide Wellness Initiative". Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays – None; Absent or not voting – None.

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Clerk's Note: A signed copy of "Resolution In Support of NC Governor Pat McCrory's Connect NC Bond Proposal" is attached herewith as Exhibit A and incorporated herein by reference.

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Clerk's Note: A signed copy of "Resolution Supporting Prevention Partners Statewide Wellness Initiative" is attached herewith as Exhibit B and incorporated herein by reference.

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Noise Ordinance

County Manager Bill Rich presented draft Chapter 16 - Article II. "Ordinance Regarding Noise" for Board consideration.

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After discussion and citizen's comments, Commissioner Barry Swindell moved to repeal Chapter 16 - Article II. "Ordinance Regarding Noise" in its entirety. Commissioner Fletcher seconded the motion. The motion failed on the following vote: Ayes -Fletcher and Swindell; Nays - Pugh, Tunnell and Simmons; Absent or not voting -None.

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Chapter 16 – Article II will remain as currently written.

53 54 Chairman Pugh thanked all who participated in the discussion.

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Appointments

Ocracoke Development Ordinance Board of Adjustment

1 Commissioner Fletcher moved to appoint Marty Baumgaertel and Edwardo Perez Chavez to serve one year terms

on the Ocracoke Development Ordinance Board of Adjustments. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes - Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or

not voting - None.

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FY2016-2017 Budget Calendar

County Manager Bill Rich reported every year a budget calendar has to be set for preparation of the Hyde County budget. Department budgets will be reviewed with the finance officer and county manager.

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Commissioner Fletcher moved to accept the FY2016-2017 Budget Calendar as presented. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays - None; Absent or not voting - None.

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Firemen's Relief Fund

Commissioner John Fletcher reported his questions concerning the NC SFA (North Carolina State Firemen's Association) Firemen's Relief Fund had been answered by Finance Officer Corrinne Gibbs. No discussion

21 necessary.

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Hyde County Health Department Fee Schedule FY2015-16

Commissioner Fletcher moved to adopt the Hyde County Health Department Fee Schedule FY2015-16 as presented by Health Director David Howard. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays – None; Absent or not voting – None.

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Zika Virus Update

David Howard, Health Director, presented update on the Zika Virus. Mr. Howard reported Zika Virus is commonly found in the tropics with a large outbreak currently reported in Brazil. He reported the virus has been around since 2007 and is similar to other mosquito viruses. Symptoms of the virus are similar to the flu. The Center for Disease Control (CDC) has issued travel advisories warning pregnant women of the danger of microcephaly in newborns.

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David's Trash

County Manager Bill Rich presented update on the County's Solid Waste Services Agreement with David's Trash Service, Inc. (November 7, 2011) with a five-year term beginning January 1, 2012. Rob Cuthrell, Owner of David's Trash sold the company and has requested the County consent to the assignment to the proposed purchaser, DBBH, Inc., of the remaining rights of the Company under the Agreement and to the assumption by Assignee of the Company's remaining obligations to the County under the Agreement. The County has consented to such assignment and assumption, effective January 21, 2016.

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Commissioner Concerns – Fletcher

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Consideration of Noise Ordinance – no action taken.

46 47 48 Location of Highway 12 - Commissioner Fletcher suggested NC DOT develop an alternate highway to the sound side of Ocracoke Island to allow for a more substantial dune and buffer for that area of greatest vulnerability.

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Commissioner Fletcher moved to direct Manager Rich to inquire into any possibility of NC DOT obtaining additional right-of-way from the National Park Service to move that portion of Hwy 12 where the Ocean and dunes are encroaching Hwy. 12. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays – None; Absent or not voting – None.

52 53 54 Expense of Duck Moving and Maintenance – Manager Rich reported the 300 (+/-) wandering ducks on Ocracoke will be removed by a certified catcher at a cost of \$150/day for seven days totaling \$4,250.00 and then relocated to Mount Olive. The Ocracoke Occupancy Tax Board has agreed to pay this expense.

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Budget Revisions:

Commissioner Fletcher moved to approve Health Department budget revisions BR22-16 – BR30-16. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Fletcher, Tunnell, Simmons, and Swindell; Nays – None; Absent or not voting – None.

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Management Reports:

Commissioner Simmons – attended a Commodity Message meeting and the Growing Hyde "Cultivating Economic Opportunities for the Future" Summit where restoration and operation of Mattamuskeet Lodge was discussed. He encouraged citizens to send letters to representatives for the Short Session to get funding for ferries and asked that everyone remember the marsh is backing up to the dike and our farm land needs to be protected.

Commissioner Fletcher – reported he has been monitoring Highway 12 Ocean over-wash.

Commissioner Swindell – reported he has been reading "Noise Ordinance" e-mails.

Commissioner Tunnell – thanked staff for the Mattamuskeet Lodge Restoration meeting. Mr. Tunnell attended a Joint Grain Conference in Raleigh and the Mid-East Housing meeting where it was reported Hycienda Heights needs a sewer system installed.

Chairman Pugh – attended a Red Wolfe meeting with Fish & Wildlife Service and several citizens, David's Trash meeting, Albemarle Commission meeting in Hertford, Ferry meeting and Mattamuskeet Lodge meeting. Mr. Pugh also attended New Board Chairman Training and a Grain Conference in Raleigh; and, toured the Engelhard, Fairfield, Swan Quarter and Ocracoke Volunteer Fire Departments.

Manager Rich – reported Mattamuskeet Lodge renovation will mean a lot to Hyde County. Mr. Rich also encouraged citizens to send letters to representatives for the Short Session to move funding out of the RPO. He announced the February 11, 2016 Agriculture and Forestry Awareness Study Commission meeting at John A. Wilkinson Community Center in Belhaven.

Mr. Rich provided his January calendar.

Chairman Pugh called for comments from the public.

Public Comments:

Tom Pahl, Ocracoke – thanked commissioners for an appropriate response to the Noise Ordinance discussion.

Connie Leinbach, Ocracoke – asked about the new trash service.

County Manager Rich announced Brad Horton and Daniel Bergin dba DDBH, Inc. will begin the service on Wednesday, February 3rd.

Darlene Styron, Ocracoke – thanked Ocracoke citizens for attending the "Noise Ordinance" discussion both on the Island and on the Mainland.

There being no further comments from the public, Chairman Pugh continued the meeting.

Closed Session: (none)

Adjourn: 1 Commissioner Swindell moved to adjourn the February 1, 2016 Board of Commissioners Meeting. Mr. Fletcher 2 seconded the motion. The motion passed on the following vote: Ayes - Pugh, Fletcher, Tunnell, Simmons, and 3 Swindell; Nays - None; Absent or not voting - None. 4 5 6 The February 1, 2016 Board of Commissioners meeting adjourned at 7:35p.m. 7 8 Respectfully submitted: 9 10 Minutes approved on the 7th day of March, 2016. 11 12 13 14 Lois Stotesberry, CMC, NCCCC 15 Earl Pugh, Jr., Chairman 16 Clerk, Hyde County Board of Commissioners Hyde County Board of Commissioners 17 18 19 Attachments: Exhibit A: "Resolution In Support of NC Governor Pat McCrory's Connect NC Bond Proposal" 20 21 Exhibit B: "Resolution Supporting Prevention Partners Statewide Wellness Initiative"

Meeting Date: Presenter: Attachment:	March 7, 2016 County Manager Bill Rich Yes		
ITEM TITLE:	RESOLUTION IN HONOR OF THE MEMORY OF MITCHELL P. NEWMAN		
SUMMARY:	Mitchell P. Newman was a former member of the Hyde County Board of Commissioners from December 2, 1974 to December 4, 1978, served as Emergency Management Director from February 1, 1986 to June 30, 1997 and most recently was Terminal Manager at the Swan Quarter Ferry Terminal, N. C. DOT Ferry System.		
	The Hyde County Board of Commissioners issue this resolution in honor of the memory of Mitchell P. Newman.		
RECOMMEND: Present Certificate.			
	Pugh, Jr. Motion Seconded By: Earl Pugh, Jr. Vote: Earl Pugh, Jr. y Swindell Barry Swindell Barry Swindell Tunnell Dick Tunnell Dick Tunnell		

Ben Simmons

John Fletcher

Ben Simmons

John Fletcher

Ben Simmons

John Fletcher

Resolution In Honor Of The Memory Of Mitchell P. Newman

(September 29, 1945 - February 15, 2016)

WHEREAS, Mitchell P. Newman was a devoted husband and father and was a leading citizen, active in his community, who gave of himself through many organizations and committees; and,

WHEREAS, Mitchell P. Newman served in the U. S. Army; was a member of Ancient Free and Accepted Masons, Atlantic Lodge No. 294 and attended Swan Quarter Baptist Church; and,

WHEREAS, Mitchell P. Newman was a former member of the Hyde County Board of Commissioners from December 2, 1974 to December 4, 1978, served as Emergency Management Director from February 1, 1986 to June 30, 1997 and most recently was Terminal Manager at the Swan Quarter Ferry Terminal, N. C. DOT Ferry System; and,

NOW THEREFORE, on behalf of Hyde County, the Hyde County Board of Commissioners do hereby issue this resolution in honor of the memory of Mitchell P. Newman.

Adopted this 7th day of March, 2016.

Hyde County Board of Commissioners

Earl Pugh, Jr., Chairman	_	Barry Swindell, Vice-chairman
Commissioner Dick Tunnell	_	Commissioner John Fletcher
Commissioner Benjamin Simmons, III	_	Attorney Fred Holscher
County Manager Bill Rich	COUNTY OF	

Meeting Date: Presenter: Attachment:	March 7, 2016 NPS Deputy Director/ Kris Noble Yes			
ITEM TITLE:	PARK SERVICE – BEACH ACCESS			
SUMMARY:	NPS Deputy Director and Planner Kris Noble will present update on National Park issues to include sites selected for sound side beach access and Highway 12 easements.			
RECOMMEND:	Receive report.			
Motion Made By: Earl Barr Dick	Pugh, Jr. Motion Seconded By:Earl Pugh, Jr. Vote:Earl Pugh, Jr. y SwindellBarry SwindellBarry SwindellBarry SwindellDick TunnellDick Tunnell			

Ben Simmons

John Fletcher

Ben Simmons

John Fletcher

Ben Simmons

John Fletcher

Lois Stotesberry

From:

Bill Rich

Strich@hydecountync.gov>
Thursday, March 03, 2016 3:01 PM

Sent: To:

'Lois Stotesberry'

Subject:

FW: Park Service - Beach Access

From: Kris Noble [mailto:knoble@hydecountync.gov]

Sent: Thursday, February 25, 2016 1:03 PM

To: 'Bill Rich'

Cc: wdoerfer@hydecountync.gov; 'Rosemary Johnson'

Subject: Park Service - Beach Access

Bill.

Just spoke with Dave Hallac in regard to the email sent this week.

Dave can't attend our BOC meeting on March 7 but is sending a deputy director to update us on NPS issues. Most importantly he will discuss the fact that NPS has selected two sites for soundside beach access based on our community/county meetings held. They have selected the dump station road (in front of the campground) which NPS is trying to start calling Devil Shoals Road and have also selected the Bitterswash site. Dave says he will try to get someone to us at each BOC meeting but can't commit to that. He can however provide us with regular updates.

He also wants to get together soon to discuss Hwy 12 and the request to start examining easements to prepare for potentially moving the road. He has had preliminary discussions with NC DOT and both are concerned that there is no where to move the road. He stated the island is becoming thinner and thinner in that area and that we will be looking at basically building a long bridge over the sound in that area or a substantial beach nourishment program. Regardless he feels that the County, NPS and NCDOT need to begin working now on a plan of how to address this issue. He advised that if we can begin planning now the community may have more control over their future than waiting for a storm to blow the road out completely and becoming powerless in their destiny. Mike Barbour in his office will be reaching out to us with some potential dates in April for an Ocracoke meeting of the County, NPS and NC DOT.

Lastly, Dave and I discussed partnering on application for grant funds for joint NPS/County access improvement projects. We will both be looking for potential partnership opportunities. Such good stuff! ©

Kristen Cahoon Noble, M.B.A.

Planning & Economic Development Director
Hyde County Office of Planning & Economic Development
30 Oyster Creek Road
PO Box 188

Swan Quarter, NC 27885 Office: (252) 926-4180 Mobile: (252) 542-0802 Fax: (252) 926-3701

knoble@hydecountync.gov

Meeting Date: Presenter: Attachment:	March 7, 2016 Meredith Nicholson Yes					
ITEM TITLE:	ABC BOARD FINANCIAL REPORT					
SUMMARY:	Meredith Nicholson, Chairman, Hyde County ABC Board will present:					
	 Balance Sheet – CY & PY (as of January 31, 2016) YTD Profit & Loss (July 2015 – January 2016) 					
RECOMMEND:	Receive report.					
Barr	Pugh, Jr. Motion Seconded By: Earl Pugh, Jr. Vote: Earl Pugh, Jr. y Swindell Barry Swindell Barry Swindell Tunnell Dick Tunnell Dick Tunnell					

Ben Simmons

John Fletcher

Ben Simmons

John Fletcher

Dick Tunnell Ben Simmons

John Fletcher

8:19 PM 02/04/16 Accrual Basis

Hyde County Board of Alcohol Control Balance Sheet - CY & PY As of January 31, 2016

	Jan 31, 16	Jan 31, 15	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
1000 · Yadkin Bank	44,866.16	33,710.06	11,156.10
1001 · Yadkin Money Market Savings	30,003.49	0.00	30,003.49
1004 · Petty Cash 1009 · Cash Register Change Drawer	150.00	100.00	50.00
1009-OC · Change Drawer-OC	200.00	200.00	0.00
1009-SQ · Change Drawer-SQ	200.00	200.00	0.00
Total 1009 · Cash Register Change Drawer	400.00	400.00	
Total 1009 - Casil Register Change Drawer	400.00	400.00	0.00
Total Checking/Savings	75,419.65	34,210.06	41,209.59
Other Current Assets			
1450 · Net Pension Asset 1200 · Other Current Asset	3,539.00	0.00	3,539.00
1201 · Liquor Inventory-Ocracoke	27,382.53	20,101.15	7,281.38
1202 · Liquor Inventory- Swan Quarter	28,316.95	20,446.30	7,870.65
Total 1200 · Other Current Asset	55,699.48	40,547.45	15,152.03
1250 · Prepaid Expenses			
1251 · Prepaid Workers' Comp Insurance	1,647.00	1,713.11	-66.11
1252 · Prepaid Vehicle Insurance 1253 · Prepaid Liability Insurance	698.68 2.012.00	0.00 0.00	698.68 2.012.00
	-		
Total 1250 · Prepald Expenses	4,357.68	1,713.11	2,644.57
Total Other Current Assets	63,596.16	42,260.56	21,335.60
Total Current Assets	139,015.81	76,470.62	62,545.19
Fixed Assets			
1300 · Fixed Assets			
1330 · Equipment	48,212.48	48,212.48	0.00
1400 · Accumulated Depreciation	-38,244.75	-34,356.85	-3,887.90
Total 1300 · Fixed Assets	9,967.73	13,855.63	-3,887.90
Total Fixed Assets	9,967.73	13,855.63	-3,887.90
TOTAL ASSETS	148,983.54	90,326.25	58,657.29
LIABILITIES & EQUITY Liabilities		-	Alleria y communicación de la companion de la
Current Liabilities			
Accounts Payable			
2000 - Accounts Payable	36,758.86	28,650.88	8,107.98
Total Accounts Payable	36,758.86	28.650.88	8,107.98
	33,733.00	20,000.00	5,157.55
Credit Cards			

8:19 PM 02/04/16 Accrual Basis

Hyde County Board of Alcohol Control Balance Sheet - CY & PY As of January 31, 2016

	Jan 31, 16	Jan 31, 15	\$ Change
2050 · VSB Credit Card	923.71	233.33	690.38
Total Credit Cards	923.71	233.33	690.38
Other Current Liabilities 2148 - Alcohol Education Contrib Accru 2100 - Other Current Liabilities 2102 - Pension Liability - EE & ER	1,502.85 341.13	0.00 301.62	1,502.85 39.51
Total 2100 · Other Current Liabilities	341.13	301.62	39.51
2400 · Payroll Liabilities 2120 · Federal Income Tax (941) 2121 · FiCA Withheld + Employer 2122 · NC Income Tax (NC-5) 2123 · NC Unemployment Tax Liability	0.00 0.00 131.00 0.00	346.00 835.74 319.00 54.64	-346.00 -835.74 -188.00 -54.64
Total 2400 · Payroll Liabilities	131.00	1,555.38	-1,424.38
Total Other Current Liabilities	1,974.98	1,857.00	117.98
Total Current Liabilities	39,657.55	30,741.21	8,916.34
Long Term Liabilities 2700 · Deferred Inflows - pension 2159 · 2159 L.T. Debt / County Loan 2160 · Loan Repayment Total Long Term Liabilities	1,717.00 16,950.00 3,198.57 21,865.57	0.00 20,550.00 7,285.08 27,835.08	1,717.00 -3,600.00 -4,086.51 -5,969.51
Total Long Term Clabilities	21,000.07	27,033.00	-5,909.51
Total Liabilities	61,523.12	58,576.29	2,946.83
Equity 3020 · Retained Earnings Net Income	48,098.86 39,361.56	8,974.01 22,775.95	39,124.85 16,585.61
Total Equity	87,460.42	31,749.96	55,710.46
TOTAL LIABILITIES & EQUITY	148,983.54	90,326.25	58,657.29

8:25 PM 02/04/16 Accrual Basis

Hyde County Board of Alcohol Control YTD Profit & Loss July 2015 through January 2016

	Jul '15 - Jan 16	Jul '14 - Jan 15	\$ Change	% Change
Ordinary Income/Expense				
Income				
4000 · Sales 4001 · Liquor Sales- Swan Quarter	122.786.61	111,253,54	11.533.07	10.4%
4002 · Liquor Sales - Ocracoke	218,727.08	203.632.17	15.094.91	7.4%
4005 · Mixed Beverage- Swan Quarter	8.208.75	10.953.20	-2.744.45	-25.1%
4006 · Mixed Beverage - Ocracoke	129,282.33	115.085.72	14.196.61	12.3%
4007 · Refunds	-46.00	0.00	-46.00	-100.0%
Total 4000 · Sales	478,958.77	440,924.63	38,034.14	8.6%
4020 · Deduct Taxes on Gross Sale				
4021 · State Excise Tax	-100,738.00	-102,981.00	2,243.00	2.2%
4022 · Rehabilitation Tax County	-1,265.33	-1,158.15	-107.18	-9.3%
4023 · Mixed Beverage Tax - NCDR	-12,325.00	0.00	-12,325.00	-100.0%
4024 · Mixed Beverage Tax - NCDHHS	-1,232.16	-1,150.94	-81.22	-7.1%
Total 4020 · Deduct Taxes on Gross Sale	-115,560.49	-105,290.09	-10,270.40	-9.8%
Total Income	363,398.28	335,634.54	27,763.74	8.3%
Cost of Goods Sold				
5000 · Cost of Goods Sold				
5001 · Cost of Liquor	233,035.02	218,568.62	14,466.40	6.6%
5002 · Bailment	3,259.50	3,571.20	-311.70	-8.7%
5003 · Surcharge	3,042.20	1,785.60	1,256.60	70.4%
Total 5000 · Cost of Goods Sold	239,336.72	223,925.42	15,411.30	6.9%
Total COGS	239,336.72	223,925.42	15,411.30	6.9%
Gross Profit	124,061.56	111,709.12	12,352.44	11.1%
Expense				
6000 · General Expenses				
6001 · Salaries & Wages				
6002 · Salaries	17,499.95	17,884.67	-384.72	-2.2%
6003 · Hourly Wages	21,786.46	20,358.91	1,427.55	7.0%
6001 · Salaries & Wages - Other	2,692.30	0.00	2,692.30	100.0%
Total 6001 · Salaries & Wages	41,978.71	38,243.58	3,735.13	9.8%
6005 · Payroll Tax Expenses	4 500 00	4 540 00	50.00	2.20
6005-1 · FICA Expense	1,563.36	1,513.33 233.38	50.03 -233.38	3.3% -100.0%
6005-2 · NC Unemployment Tax	0.00			
Total 6005 · Payroll Tax Expenses	1,563.36	1,746.71	-183.35	-10.5%
6020 · Employer Matching Pension	-95.17	428.76	-523.93	-122.2%
6050 · Alarm services	480.80	377.63	103.17	27.3%
6060 · Rent	4,760.00	4,760.00	0.00	0.0%
7090 · Telephone	1,601.68	1,980.71	-379.03	-19.1%
7095 · Computer and Internet Expenses	517.68	52.42	465.26	887.6%

8:25 PM 02/04/16 Accrual Basis

Hyde County Board of Alcohol Control YTD Profit & Loss July 2015 through January 2016

	Jul '15 - Jan 16	Jul '14 - Jan 15	\$ Change	% Change
7110 · Repairs Maintenance 7125 · Supplies	744.90	0.00	744.90	100.0%
7130 · Store Supplies	0.00	146.18	-146.18	-100.0%
7140 · Office Supplies	790.72	519.75	270.97	52.1%
Total 7125 · Supplies	790.72	665.93	124.79	18.7%
7150 · Travel	173.40	0.00	173.40	100.0%
7151 · Lodging	360.19	600.00	-239.81	-40.0%
7160 · Meals and Entertainment	255.93	135.37	120.56	89.1%
7180 · Postage	0.00	49.00	-49.00	-100.0%
7181 · Contract Labor	0.00	25.00	-25.00	-100.0%
7190 · Bank Fees	0.00	0.00	0.00	0.0%
7195 · Merchant Account Fees 7300 · Utilities Services	5,526.24	4,376.44	1,149.80	26.3%
7310 · Electric Service	923.57	1,189.24	-265.67	-22.3%
7300 · Utilities Services - Other	224.00	490.01	-266.01	-54.3%
Total 7300 · Utilities Services	1,147.57	1,679.25	-531.68	-31.7%
Total 6000 · General Expenses	59,806.01	55,120.80	4,685.21	8.5%
Total Expense	59,806.01	55,120.80	4,685.21	8.5%
Net Ordinary Income	64,255.55	56,588.32	7,667.23	13.6%
Other Income/Expense Other Income 8000 · Other Income 8090 · Cash Over	53.86	12.82	41.04	320.1%
Total 8000 · Other Income	53.86	12.82	41.04	320.1%
			41.04	320.176
Total Other Income	53.86	12.82	41.04	320.1%
Other Expense				
7000 · Other Expenses				
7001 · Administration Allocated	24.947.85	31,332.30	-6.384.45	-20.4%
7010 · Cash Short	0.00	0.01	-0.01	-100.0%
9000 · Penalties	0.00	2,492.88	-2.492.88	-100.0%
Total 7000 · Other Expenses	24,947.85	33,825.19	-8,877.34	-26.2%
Total Other Expense	24,947.85	33.825.19	-8.877.34	-26.2%
Control of the second s				
Net Other Income	-24,893.99	-33,812.37	8,918.38	26.4%
Net Income	39,361.56	22,775.95	16,585.61	72.8%

Meeting Date:

March 7, 2016

Presenter:

Linda M. Basnight

Attachment:

No

ITEM TITLE:

Date(s) for 2016 Board of Equalization and Review

SUMMARY:

Each year the Board is required to hold Board of Equalization and Review. In accordance with GS 105-322(e) the first meeting cannot be held before the first Monday in April or later than the first Monday in May

and must adjourn on or before the third Monday following the first

meeting.

RECOMMEND:

Set Board of E&R meeting dates.

		A	pr	il					N	/la	У					J	un	е		
S	M	Т	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	2
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30		

Motion Made By:	Earl Pugh, Jr.	Motion Seconded By: Earl Pugh, Jr.	Vote:	Earl Pugh, Jr.
	Barry Swindell	Barry Swindell		Barry Swindel
	Dick Tunnell	Dick Tunnell		Dick Tunnell
	Ben Simmons	Ben Simmons		Ben Simmons
	John Fletcher	John Fletcher		John Fletcher

Meeting Date:

March 7, 2016

Presenter:

David Howard, Public Health Director & Hydeland Home Health Director

Attachment:

Yes

ITEM TITLE:

Hydeland Home Health Agency Sale

SUMMARY:

For five years Hydeland Home Health (a home health agency owned and operated by Hyde County) has operated at an average annual financial loss of \$120,000. The quality of services have remained very high and efforts have been made over the past several years to lessen the annual financial shortfall. There are not adequate measures available to bring the agency to a break-even status. In addition to financial concerns, the many regulatory and operational requirements are becoming all but impossible to meet by the staff of 2 full-time nurses, 1 full-time accounting clerk, and 1 part-time nurse: i.e. 24/7/365 call, admissions on week-ends and holidays, difficulty taking time off, etc.

The two choices for Hydeland Home Health appear to be:

- 1) Continue operations until reserve funds are expended. The county would then have to pay the annual operating deficit going forward.
- 2) Sell the agency. Retain the reserve funds and also receive sale proceeds.

ACTION NEEDED: DECISION ON SALE OF HOME HEALTH AGENCY

If decision to sell, the following instructions and approvals to county manager and Public Health/Home Health Director are recommended

- 1) Pursue sale of Hydeland Home Health agency
- 2) Hire consultant Ron Clitherow of Clifton, Larson, Allen, LLP for assistance, guidance, and expertise in facilitating and brokering the sale. estimated cost: \$17,000
- 3) Engage attorney Erin Roberts of Smith, Moore, Leatherwood, LLP for legal services to meet all legal requirements in the sale process pursuant to NC GS 131e-13: Lease or Sale of Hospital Facilities to or from for-profit or nonprofit corporations or other business entities by Municipalities and Hospital Authorities. estimated cost: \$10,000

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Motion Made By: Earl Pugh, Jr.	Motion Seconded By: Earl Pugh, Jr.	Vote:	Earl Pugh, Jr.
Barry Swindell	Barry Swindell		Barry Swindell
Dick Tunnell	Dick Tunnell		Dick Tunnell
Ben Simmons	Ben Simmons		Ben Simmons
John Fletcher	John Fletcher		John Fletcher

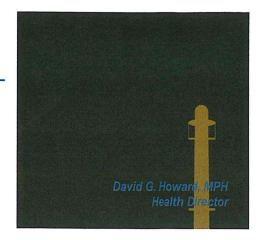
Hyde County Health Department

P.O. Box 100 1151 Main Street Swan Quarter, N.C. 27885

Phone (252) 926-4200 Fax (252) 926-0021

March 7, 2016

County Commission Meeting



Hydeland Home Health Information - related to Agenda Item being considered

Legalities, Structure, Ownership, and Governance

Hydeland Home Health (HHH) is a distinct agency/business owned by the County of Hyde The County Commission must make decision(s) as to HHH HHH has traditionally been managed by the Public Health Director, who serves as Director of HHH Statute requiring provision of home health services from county governments was repealed in 1992

Financials: (see additional handout)

Current Balance of HHH Reserve Funds: \$634,000.00 Average shortfall over past 5 fiscal years: \$119,460.00

Current and Future Considerations for Hydeland Home Health

Pros:

Valuable service for Hyde residents: local staff dedicated to local community
Have assured home health services available to all Hyde residents – for services we can provide
Good reviews from last state monitoring visit – in full compliance
Knowledge of community, residents, needs, intangibles

Cons:

24/7/365 call is difficult for the 2 Nurse staff

Staff under increasing pressure to see patients and maintain admin/billing requirements CMS VBP system expected to be more difficult for small agencies to maintain or grow reimbursements Small size of HHH prevents us from providing full array of services Adding a Full-Time or Part-Time Nurse to expand reach and caseload increases expenses Competition will increase in/from neighbor counties, competitors are allowed to serve Hyde residents

Possible Future Paths:

- 1) Continue operating Hydeland As-Is
- 2) Continue and try to expand caseload/reach, increase fees, reduce expenses, hire another nurse
- 3) Continue operating Hydeland with plan to close at a certain date, whether or not a buyer exists
- 4) Actively pursue sale now make plans with county for reserves to be used for health services

HYDELAND HOME HEALTH REVENUES-VS.-EXPENDITURES

	REVENUES	EXPENDITURES	DIFFERENCE	
F/Y 06-07	\$548,263.45	\$543,778.21	\$4,485.24	
F/Y 07-08	\$564,659.91	\$455,688.35	\$108,971.56	
F/Y 08-09	\$483,519.56	\$453,022.01	\$30,497.55	
F/Y 09-10	\$428,999.74	\$457,603.33	-\$28,603.59	
F/Y 11-12	\$297,410.35	\$450,219.93	-\$152,809.58	
F/Y 12-13	\$289,217.66	\$359,193.87	-\$69,976.21	
F/Y 13-14	\$168,015.75	\$317,309.74	-\$149,293.99	
F/Y 14-15	\$196,729.45	\$393,343.65	-\$196,614.20	
				5 Years
				09-10 to 14-15
SUM	\$2,976,815.87	\$3,430,159.09	-\$453,343.22	-\$597,297.57
Average	\$372,101.98	\$428,769.89	-\$56,667.90	-\$119,459.51
F/Y 15-16 thru Jan	\$148,444.34	\$172,369.86	-\$23,925.52	

Current Available Funds (includes CD and receivables)

\$634,060.00

Approximate years remaining based on average \$120,000 deficit per year Safer Bet is 3-4 years based on below considerations

5 years maximum

Other Financial Considerations:

Decreased Reimbursment under CMS VBP system
Reimbursements are not expected to keep pace with inflation
Increased Expenses if we hire a FT or PT Nurse to grow Caseload and take call rotation
We may be able to raise some of our rates to increase revenue slightly

Hyde County Board of Health

P.O. Box 100 1151 Main Street Swan Quarter, N.C. 27885 Phone (252) 926-4200 Fax (252) 926-3702



From the Lodge to the Lighthouse We're striving for a healthier Hyde

Board of Health Members

Randy Hignite, Chair Randy Clayton, Vice Chair Barry Swindell, County Commission Kenneth Collier Cheryl Ballance J.W. Spencer Dorene Holloway Tynia Harris Sharon Sadler David G. Howard, MPH Health Director

Resolution on the Hydeland Home Health Agency

Date: February 10, 2016

WHEREAS, Hydeland Home Health Agency is wholly owned and operated by the County of Hyde, and

WHEREAS, the Hyde County Board of Health provides oversight to Hydeland Home Health Agency, and

WHEREAS, the Hyde County Board of Health is charged with and concerns itself with the health and well-being of all Hyde County residents, and

WHEREAS, the Hyde County Board of Health has intimate historical and current knowledge and understanding of the Hydeland Home Health Agency operations, finances, and services, and

WHEREAS, the Hyde County Board of Health has reviewed information and data about Hydeland Home Health Agency financials, operations, and services, and

WHEREAS, the Hyde County Board of Health has the best interest of all Hyde County residents in mind, and

WHEREAS, the Hyde County Board of Health believes strongly that it is able to counsel and advise the County Commission in regard to the health and well-being of Hyde County residents, and

WHEREAS, the Hyde County Board of Health is appointed by the Hyde County Commission and represents the residents of Hyde County in matters concerning health and well-being

THEREFORE, BE IT RESOLVED, that the Hyde County Board of Health, *upon a decision by the Hyde County Commission to sell Hydeland Home Health Agency*, recommends the Hyde County Commission commit to the following considerations:

That the Hyde County Board of Health be consulted, where prudent and/or when allowed by law(s) and contract(s), on offers to purchase Hydeland Home Health, and

That strong consideration be given to offers of purchase from buyers who show the most commitment to high quality and comprehensive Home Health services for all Hyde County residents, and

That the employees of Hydeland Home Health Agency be provided the best and most consideration for employment with the buyer and/or with Hyde County, and

That the residents of Hyde County be provided the best and most consideration possible for full, comprehensive, and on-going access to Home Health Services, and

That all costs associated with the sale of Hydeland Home Health come from the Hydeland Home Health account (account 50), not from the county general fund, and

That all the remaining funds in the Hydeland Home Health account (account 50), after the close of a sale of Hydeland Home Health, be reserved for future health services.

Adopted by the Hyde County Board of Health this 10th day of February, 2016

Kandey Signite
Randy Hignite, Chair

ATTEST:

David Howard, Director of Public Health, Director of Hydeland Home Health

Secretary, ex-officio

§ 131E-13. Lease or sale of hospital facilities to or from for-profit or nonprofit corporations or other business entities by municipalities and hospital authorities.

- (a) A municipality or hospital authority as defined in G.S. 131E-16(14), may lease, sell, or convey any hospital facility, or part, to a corporation, foreign or domestic, authorized to do business in North Carolina, subject to these conditions, which shall be included in the lease, agreement of sale, or agreement of conveyance:
 - (1) The corporation shall continue to provide the same or similar clinical hospital services to its patients in medical-surgery, obstetrics, pediatrics, outpatient and emergency treatment, including emergency services for the indigent, that the hospital facility provided prior to the lease, sale, or conveyance. These services may be terminated only as prescribed by Certificate of Need Law prescribed in Article 9 of Chapter 131E of the General Statutes, or, if Certificate of Need Law is inapplicable, by review procedure designed to guarantee public participation pursuant to rules adopted by the Secretary of the Department of Health and Human Services.
 - (2) The corporation shall ensure that indigent care is available to the population of the municipality or area served by the hospital authority at levels related to need, as previously demonstrated and determined mutually by the municipality or hospital authority and the corporation.
 - (3) The corporation shall not enact financial admission policies that have the effect of denying essential medical services or treatment solely because of a patient's immediate inability to pay for the services or treatment.
 - (4) The corporation shall ensure that admission to and services of the facility are available to beneficiaries of governmental reimbursement programs (Medicaid/Medicare) without discrimination or preference because they are beneficiaries of those programs.
 - (5) The corporation shall prepare an annual report that shows compliance with the requirements of the lease, sale, or conveyance.

The corporation shall further agree that if it fails to substantially comply with these conditions, or if it fails to operate the facility as a community general hospital open to the general public and free of discrimination based on race, creed, color, sex, or national origin unless relieved of this responsibility by operation of law, or if the corporation dissolves without a successor corporation to carry out the terms and conditions of the lease, agreement of sale, or agreement of conveyance, all ownership or other rights in the hospital facility, including the building, land and equipment associated with the hospital, shall revert to the municipality or hospital authority or successor entity originally conveying the hospital; provided that any building, land, or equipment associated with the hospital facility that the corporation has constructed or acquired since the sale may revert only upon payment to the corporation of a sum equal to the cost less depreciation of the building, land, or equipment.

G.S. 131E-13 Page 1

This section shall not apply to leases, sales, or conveyances of nonmedical services or commercial activities, including the gift shop, cafeteria, the flower shop, or to surplus hospital property that is not required in the delivery of necessary hospital services at the time of the lease, sale, or conveyance.

(b) In the case of a sale or conveyance, if either general obligation bonds or revenue bonds issued for the benefit of the hospital to be conveyed are outstanding at the time of sale or conveyance, then the corporation shall agree to the following:

By the effective date of sale or conveyance, the corporation shall place into an escrow fund money or direct obligations of, or obligations the principal of and interest on which, are unconditionally guaranteed by the United States of America (as approved by the Local Government Commission), the principal of and interest on which, when due and payable, will provide sufficient money to pay the principal of and the interest and redemption premium, if any, on all bonds then outstanding to the maturity date or dates of such bonds or to the date or dates specified for the redemption thereof. The corporation shall furnish to the Local Government Commission such evidence as the Commission may require that the securities purchased will satisfy the requirements of this section. A hospital which has placed funds in escrow to retire outstanding general obligation or revenue bonds, as provided in this section, shall not be considered a public hospital, and G.S. 159-39(a)(3) shall be inapplicable to such hospitals.

No bonds, notes or other evidences of indebtedness shall be issued by a municipality or hospital authority to finance equipment for or the acquisition, extension, construction, reconstruction, improvement, enlargement, or betterment of any hospital facility if the facility has been sold or conveyed to a corporation, foreign or domestic, authorized to do business in North Carolina.

(c) In the case of a lease, the municipality or hospital authority shall determine the length of the lease. No lease executed under this section shall be deemed to convey a freehold interest. Any sublease or assignment of the lease shall be subject to the conditions prescribed by this section. If the term of the lease is more than 10 years, and either general obligation bonds or revenue bonds issued for the benefit of the hospital to be leased are outstanding at the time of the lease, then the corporation shall agree to the following:

By the effective date of the lease, the corporation shall place into an escrow fund money or direct obligations of, or obligations the principal of and interest on which, are unconditionally guaranteed by the United States of America (as approved by the Local Government Commission), the principal of and interest on which, when due and payable, will provide sufficient money to pay the principal of and the interest and redemption premium, if any, on all bonds then outstanding to the maturity date or dates of such bonds or to the date or dates specified for the redemption thereof. The corporation shall furnish to the Local Government Commission such evidence as the Commission may require that the securities purchased will satisfy the requirements of this section.

No bonds, notes or other evidences of indebtedness shall be issued by a municipality or hospital authority to finance equipment for or the acquisition, extension, construction, reconstruction, improvement, enlargement, or betterment of any hospital facility when

G.S. 131E-13 Page 2

the facility is leased to a corporation, foreign or domestic, authorized to do business in North Carolina.

- (d) The municipality or hospital authority shall comply with the following procedures before leasing, selling, or conveying a hospital facility, or part thereof:
 - (1) The municipality or hospital authority shall first adopt a resolution declaring its intent to sell, lease, or convey the hospital facility at a regular meeting on 10 days' public notice. Notice shall be given by publication in one or more papers of general circulation in the affected area describing the intent to lease, sell, or convey the hospital facility involved, known potential buyers or lessees, a solicitation of additional interested buyers or lessees and intent to negotiate the terms of the lease or sale. Specific notice, given by certified mail, shall be given to the local office of each state-supported program that has made a capital expenditure in the hospital facility, to the Department of Health and Human Services, and to the Office of State Budget and Management.
 - (2) At the meeting to adopt a resolution of intent, the municipality or hospital authority shall request proposals for lease or purchase by direct solicitation of at least five prospective lessees or buyers. The solicitation shall include a copy of G.S. 131E-13.
 - (3) The municipality or hospital authority shall conduct a public hearing on the resolution of intent not less than 15 days after its adoption. Notice of the public hearing shall be given by publication at least 15 days before the hearing. All interested persons shall be heard at the public hearing.
 - (4) Before considering any proposal to lease or purchase, the municipality or hospital authority shall require information on charges, services, and indigent care at similar facilities owned or operated by the proposed lessee or buyer.
 - (5) Not less than 45 days after adopting a resolution of intent and not less than 30 days after conducting a public hearing on the resolution of intent, the municipality or hospital authority shall conduct a public hearing on proposals for lease or purchase that have been made. Notice of the public hearings shall be given by publication at least 10 days before the hearing. The notice shall state that copies of proposals for lease or purchase are available to the public.
 - (6) The municipality or hospital authority shall make copies of the proposals to lease or purchase available to the public at least 10 days before the public hearing on the proposals.
 - (7) Not less than 60 days after adopting a resolution of intent, the municipality or hospital authority at a regular meeting shall approve any lease, sale, or conveyance by a resolution. The municipality or hospital authority shall adopt this resolution only upon a finding that the lease, sale, or conveyance is in the public interest after considering whether the proposed lease, sale, or conveyance will meet the health-related

G.S. 131E-13 Page 3

- needs of medically underserved groups, such as low income persons, racial and ethnic minorities, and handicapped persons. Notice of the regular meeting shall be given at least 10 days before the meeting and shall state that copies of the lease, sale, or conveyance proposed for approval are available.
- (8) At least 10 days before the regular meeting at which any lease, sale, or conveyance is approved, the municipality or hospital authority shall make copies of the proposed contract available to the public.
- (e) Notwithstanding the provisions of subsections (c) and (d) of this section or G.S. 131E-23, a hospital authority as defined in G.S. 131E-16(14) or a municipality may lease or sublease hospital land to a corporation or other business entity, whether for profit or not for profit, and may participate as an owner, joint venturer, or other equity participant with a corporation or other business entity for the development, construction, and operation of medical office buildings and other health care or hospital facilities, so long as the municipality, hospital authority, or other entity continues to maintain its primary community general hospital facilities as required by subsection (a) of this section.
- (f) A municipality or hospital authority may permit or consent to the pledge of hospital land or leasehold estates in hospital land to facilitate the development, construction, and operation of medical office buildings and other health care or hospital facilities. A municipality or hospital authority also may, as lessee, enter into master leases or agreements to fund for temporary vacancies relating to hospital land or hospital facilities for use in the provision of health care.
- (g) Neither G.S. 153A-176 nor Article 12 of Chapter 160A of the General Statutes shall apply to leases, subleases, sales, or conveyances under this Chapter. (1983 (Reg. Sess., 1984), c. 1066, s. 1; 1997-233, s. 2; 1997-443, s. 11A.118(a); 2000-140, s. 93.1(a); 2001-424, s. 12.2(b).)

G.S. 131E-13

Steps & Proposed Timeline for Compliance with N.C. Gen. Stat. 131E-13(d)

Phase I: Adopt a Resolution Declaring the Intent to Sell Hydeland Home Care Agency

(1) Provide public notice describing the intent of the Board of Commissioners of Hyde County (the "Board"), to sell its Medicare-certified home health agency, Hydeland Home Care Agency (the "Agency"). Notice shall be given by publication in the newspaper of general circulation in the Agency's service area (the "Service Area"), at least ten (10) days prior to the regular meeting of the Board at which the resolution declaring the intent to sell the Agency will be proposed.

ACTION: NOTICE TO BE PUBLISHED ON OR BEFORE MARCH 25, 2016

(2) At a regular meeting of the Board, adopt a resolution declaring the Board's intent to sell the Agency. Such resolution should specifically direct that the request for proposal ("RFP"), which includes a copy of N.C. Gen. Stat. 131E-13, be sent to all known prospective buyers. The RFP should also require information on charges, services, and indigent care at similar facilities owned or operated by each of the prospective buyers.

ACTION: MEETING TO BE HELD ON APRIL 4, 2016

Phase II: Conduct a Public Hearing on the Resolution of Intent

(1) Provide public notice that the Board will hold a public hearing related to its adoption of a resolution of intent to sell the Agency. Notice shall be given by publication in the local newspaper at least fifteen (15) days prior to the public hearing.

ACTION: NOTICE TO BE PUBLISHED ON OR BEFORE APRIL 15, 2016

(2) Conduct a public hearing related to the Board's adoption of a resolution of intent to sell the Agency. At such hearing, all interested persons shall be heard.

ACTION: PUBLIC HEARING ON MAY 2, 2016

Phase III: Conduct a Public Hearing on the Proposals

(1) Provide public notice that the Board will hold a public hearing on the proposals to purchase the Agency. Notice shall be given by publication in the local newspaper at least ten (10) days prior to the public hearing. Such notice shall state that copies of the proposals for the purchase of the Agency are available at [the Agency's location or the County Manager's office].

ACTIO	N: NOTICES TO BE PUBLISHED ON	_, 2016
(2)	Make copies of the proposals for the purchase of the Agency	available for review
ACTIO	N: PROPOSALS AVAILABLE FOR VIEWING ON	, 2016
(3)	Conduct a public hearing on the proposals.	

ACTION: PUBLIC HEARING SCHEDULED FOR ______, 2016 [NOTE: THIS PUBLIC HEARDING MUST BE SCHEDULED AT LEAST THIRTY (30) DAYS AFTER THE PUBLIC HEARING ON THE RESOLUTION OF INTENT Phase IV: Adopt a Resolution Approving the Sale Provide public notice describing the intent of the Board to adopt a resolution approving (1) the sale of the Agency at a regular meeting. Notice shall be given by publication in the local newspaper at least ten (10) days prior to such regular meeting. Such notice shall state that copies of the proposed purchase contract for the Agency are available for review at [the Agency's location or the County Manager's office]. ACTION: NOTICES TO BE PUBLISHED ON ______, 2016 (2) Make copies of the proposed purchase contract available for review at the Agency's location. ACTION: PROPOSED PURCHASE CONTACT AVAILABLE ON ______, 2016 At a regular meeting of the Board, adopt a resolution approving the sale of the Agency. This resolution shall be adopted only after considering whether such transaction will meet the health-related needs of the medically underserved groups, such as low income persons, racial and ethnic minorities, and handicapped persons, and upon a finding that the sale is in the public interest. ______, 2016 [NOTE: THIS ACTION: MEETING SCHEDULED FOR MEETING MUST BE SCHEDULED AT LEAST FIFTEEN (15) DAYS AFTER THE PUBLIC HEARING ON THE PROPOSALS

Meeting Date: Presenter: Attachment:	March 7, 2015 Kris Cahoon Noble Yes
ITEM TITLE:	Swan Quarter Farmer's Market
SUMMARY:	The Hyde County Health Department in conjunction with the Office of Planning and Economic Development and Cooperative Extension have been working together to bring a farmer's market to the community of Swan Quarter. A \$2,500 grant has been obtained from the Albemarle Regional Health Services to provide salary for a part-time manager, tents, tables, scales, chalkboards and signage. Anna Motteler with Hyde Health Department has advertised for market vendors and a part-time manager. Plans are to begin operations in spring 2016. The market will be open on the last Saturday of each month. The market's operating hours will be from 10:00 AM to 2:00 PM and correlate with the fundraising activities of the Swan Quarter Volunteer Fire Department The market will be located in the Hyde County parking lot adjacent to the gazebo.
RECOMMEND:	INFORMATION ONLY
Motion Made By: Earl	Pugh, Jr. Motion Seconded By: Earl Pugh, Jr. Vote: Earl Pugh, Jr. Tunnell Dick Tunnell Dick Tunnell
Ben	Simmons Ben Simmons Ben Simmons Fletcher John Fletcher John Fletcher

Barry Swindell

Earl Pugh, Jr.

Barry Swindell

Ayde County 16186



MARKET VENDORS



MARKET MANAGER

WOULD YOU LIKE TO BE A VENDOR OR MARKET MANAGER? For more information, call Anna Motteler at 926-4381 or go to www.hydehealth.com/health-education/



Rules & Regulations

GENERAL MARKET RULES:

- Market will be held every first Saturday from 10:00AM until 2:00PM at 30 Oyster Creek Road, Swan Quarter, NC 27885 beginning mid-May thru November.
- Market will take place rain or shine.
- Vendors shall be solely responsible for the cleanliness around and under their space and stand at all times.
- Vendors shall be responsible for setting up their stand in an attractive manner; keeping boxes and supplies stored from sight. Prices shall be posted prominently. All baked goods require cover.
- The market manager will have full power to enforce all rules and regulations within the market area.
- No more than one space is allowed per family, farm, or group.
- Vendor spaces are on a first come basis. There are no reserved spots, although "regular" spots shall be honored by other vendors.
- Vendors shall complete a registration form and pay a \$10 annual fee plus \$10 per Saturday. Approved registration will be valid throughout the calendar year. Registration forms must be available for public inspection while vending at the market.
- Vendors are solely responsible for providing their own tables, chairs and tents.
- Vendors must submit liability insurance certificates with the annual registration form.

PRODUCT AND VENDOR RULES:

- Vendors may sell farm produce, plants, flowers, baked goods, and other handmade goods approved by the Hyde County Farmers Market Advisory Board.
- Everything for sale is encouraged to be home grown, home baked, or handmade. A vendor can only purchase food items for resale and those food items must be produced or grown in NC. The vendor shall submit to the market manager invoices for verification of all food items purchased for resale that are sold at the market.
- Vendors cannot resale other vendors' items either at the market or elsewhere.
- Farmers who sell meat, poultry, and eggs, must comply with North Carolina State and Federal laws designed to ensure the meat and poultry products sent into commerce are wholesome, unadulterated, and properly labeled.
- The North Carolina Department of Agriculture and Consumer Services (NCDA & CS) enforces these laws.
- Any farmer who receives, stores, transports and /or sells (wholesale or retail) meat or poultry products must register as a meat handler with the NCDA & CS. Sellers must have a copy of their meat handler's license on file with the market manager.
- Vendors selling processed foods (baked goods) must call the Department of Agriculture and get an inspection. Call (919) 733-7366 and ask for any compliance officer.
- All crafts must be hand crafted by the vendor or a member of the vendors' farm or craft unit.
- New crafts must be reviewed and approved by the Hyde County Farmers Market Advisory Board.
- Crafts must be the product of a home or cottage type industry. To be considered "hand crafted", the item must show evidence of manual skills obtainable only through a significant period of experience and dedication.
- Craft Vendor Cap: For every 3 food vendors there can be 1 craft vendor.
- Vendors may also include nonprofit groups such as schools and churches performing fundraising projects such as bake sales.



Manager Position Description

OVERVIEW

The Hyde County Farmers Market Manager is responsible for the daily operations and promotion of the market from April through November. The Market Manager will participate in the initial market planning in conjunction with the Hyde County Farmers Market Advisory Board and will develop relationships in the market community beginning in April.

The Market Manager is the "go-to" person for vendors and consumers during market hours. The job requires personal confidence and the ability to effectively communicate with a variety of people including municipal employees. The Advisory Board relies on the Market Manager to be its liaison with and between all parties served by the market. The Manager's general responsibilities include: fostering community support for the market, helping promote the market, and keeping accurate weekly records of market activities. Successful managers understand both the vendors' and the consumers' needs and, in conjunction with Hyde County Farmers Market Advisory Board, design and implement strategies to meet these needs. The manager is required to be on-site at market and available to vendors and consumers the majority of the time.

GENERAL REQUIREMENTS

Managers are required to be available for cell phone contact with Hyde County Farmers Market Advisory Board members on market day and for regular e-mail contact throughout the duration of their employment. Managers must be willing and able to work outdoors and to safely lift and carry 50 pounds. The position requires the ability to work independently, as well as inter-dependently with a team of other staff members.

SPECIFIC RESPONSIBILITIES

Specific manager responsibilities are determined by the needs of both the community and the specific vendors at the market. Generally, the market manager is responsible for the following activities.

General Market Support

- Develops and maintains good working relationships with Advisory Board, each farmer and vendor, consumers, community members, groups and organizations.
- Accept and present vendor applications to the Advisory Board.
- Assists vendors, community representatives, and consumers by providing market-related information, conflict resolution, and general aid as appropriate.
- Enforces market rules.
- Communicate regularly with the Advisory Board.
- Managers may occasionally assist vendors by providing set up help and brief personal breaks, and by assisting vendors with sales during especially busy times.

Education & Outreach

- Works with the Advisory Board to promote the market.
- Works with the Advisory Board to seek and recruit vendors, as needed.
- Establishes a consistent space to set up and operate the market manager's table and display
 materials. Operation of the market manager's table includes running the EBT Terminal with and
 promoting the SNAP program.
- Identifies and initiates follow-up communication with area businesses and community
 organizations, as well as local police or other municipal employees, who may provide assistance to
 the market.
- Leads efforts to bring special activities to the market, such as cooking demonstrations, educational programming, music, etc.

Market Logistics

- Arrives at market 1 1.5 hours before opening to coordinate market set-up and stays at market until all vendors have left (no more than 1 hour after market closing, except on rare occasions).
- Ensures safety and cleanliness of the site before, during and at the conclusion of each market.
- Places directional signs promoting the market around the community at key locations prior to opening on each market day, and removes those signs at the close of market.
- Maintains and transmits the daily records and reports required by the Advisory Board on a weekly basis.

Miscellaneous

Performs other duties necessary to support the market.

WORKING HOURS

The Hyde County Farmers Market will run every first Saturday from 10:00AM until 2:00PM at 30 Oyster Creek Road, Swan Quarter, NC 27885 beginning mid-May thru November in 2016. This is a part-time, seasonal position and requires managing market operations for about 6 – 7 hours on market days, plus an additional 3 – 4 hours per month on non-market days, for a total of about 10 hours per month. During the month of April, about 15 – 20 hours of initial market planning and promotion duties will be required. Compensation is set at \$10/hour.

TO APPLY:

Please provide a letter of interest that includes (1) why you are interested in this position, (2) the strengths you can bring to the farmers' market, and (3) any prior relevant experience. **Resumes are welcome**, **but not required**.

Application deadline: March 18, 2016

Please submit application materials to:

Anna Schafer Motteler, MPH Hyde County Health Department

> aschafer@hydehealth.com Phone: 252.926.4381

Manager Bill Rich will announce the Employee of the Month.

The employee will spin the "Wheel of Thanks."

Meeting Date:

ITEM TITLE:

SUMMARY:

Presenter: Attachment:

March 7, 2016

No

County Manager Bill Rich

EMPLOYEE OF THE MONTH

RECOMMEND:	Congratulations.	
Board of Commissioners Earl Pugh, Jr., Chair Barry Swindell, Vice-chair Dick Tunnell John Fletcher Ben Simmons	Wheel of Thanks Gift Certificate	County Manager Bill Rich
This certificate entitles:		
To:		
		Bill Rich, County Manager
Thank you for your	Not redeemabl	
	Redemption va	lue not to exceed \$25.00
30 Oyster C	reek Road, P.O. Box 188, Swan Quarter, NC 27885, Tel: 252-926-4400, Fax: 252-926-370	ı

Meeting Date:

March 7, 2016

Presenter:

Citizens

Attachment:

No

ITEM TITLE:

PUBLIC COMMENTS

SUMMARY:

Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

RECOMMEND:

Receive comments.